

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROCKY DEFILIPPO,

Plaintiff,

-v.-

NATIONAL RAILROAD PASSENGER
CORPORATION and ABM JANITORIAL
SERVICES NORTHEAST, INC.,

Defendants.

17 Civ. 2789 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

The Southern District of New York has reconfigured courtrooms and other spaces in its courthouses to allow civil jury trials to proceed as safely as possible during the COVID-19 pandemic. Under the centralized calendaring system currently in place, the Clerk's Office schedules up to three jury trials to begin on each day of jury selection: a primary case and up to two back-up cases that may proceed in its place if the primary case does not go forward. On October 23, 2020, the parties informed the Court that they wished to proceed to trial on either June 14, 2021, or June 21, 2021. (*See* Dkt. #115). The Court accordingly ordered that trial would commence on June 14, 2021 (Dkt. #116), and proceeded to request a jury trial for that date.

The Clerk's Office has now notified the Court that this case has been placed on the jury trial list for **June 16, 2021**. The case must be trial-ready for that date. The case is third on the list for jury trials for that day. This means that the case will not proceed on June 16, 2021, if either of the two trials scheduled for that date go forward. If the case cannot proceed on the

scheduled date, the Court will seek another jury trial date for as soon as possible thereafter. As soon as the Court confirms that the matter will proceed on June 16, 2021, it will inform the parties.

The Court previously entered a schedule for pretrial submissions, pursuant to which the parties' Joint Pretrial Order, motions *in limine*, requests to charge, proposed *voire dire* instructions, and any pretrial memoranda of law will be due **May 17, 2021**; and any opposition papers to motions *in limine* will be due **May 24, 2021**. (See Dkt. #116). A final pretrial conference is scheduled for **June 1, 2021, at 2:00 p.m.** (See *id.*).

SO ORDERED.

Dated: March 1, 2021
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Faila".

KATHERINE POLK FAILLA
United States District Judge